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**MEMORANDUM ENDORSED**

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SEPTEMBER 22, 2020

By ECF

Hon. Judge Gregory H. Woods  
Southern District of New York  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: Doe v. N.Y. State Dep't of Health, et al., 20-cv-04817 (S.D.N.Y.)

Dear Judge Woods:

This Office represents Defendants New York State Department of Health ("DOH") and the DOH Commissioner in the above-captioned action, in which Plaintiff John Doe seeks to invalidate a DOH regulation pertaining to direct-to-consumer laboratory tests. Pursuant to the Court's order of September 22, 2020 (ECF No. 27), Defendants write with the consent of Plaintiff to request that the Fed. R. Civ. P. 16 conference—currently scheduled for September 24, 2020—be adjourned *sine die* and that the Court stay discovery pending resolution of Defendants' motion to dismiss the Complaint in its entirety.


On September 17, 2020, the Court set a briefing schedule for Defendants' dismissal motion (ECF No. 25). Defendants seek to conserve judicial resources, as well as their own, by postponing discovery until their motion is decided.

Thank you for your Honor's attention in this matter.

Application granted. With the consent of the parties, and for good cause shown, the initial pretrial conference scheduled for September 24, 2020, Dkt No. 16, is adjourned and discovery is stayed pending briefing and resolution of Defendants' motion to dismiss.

SO ORDERED.

Dated: September 22, 2020  
New York, New York

  
GREGORY H. WOODS  
United States District Judge